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BEFORE THE ARIZONA MEDICAL BOARD

In the Matter of

PAUL TAMANAHA, M.D.

Holder of License No. 23014
For the Practice of Allopathic Medicine
In the State of Arizona

Case No. MD-12-1262A

**ORDER FOR LETTER OF REPRIMAND
AND CONSENT TO THE SAME**

Paul Tamanaha, M.D. ("Respondent") elects to permanently waive any right to a hearing and appeal with respect to this Order for Letter of Reprimand; admits the jurisdiction of the Arizona Medical Board ("Board"); and consents to the entry of this Order by the Board.

FINDINGS OF FACT

1. The Board is the duly constituted authority for the regulation and control of the practice of allopathic medicine in the State of Arizona.

2. Respondent is the holder of license number 23014 for the practice of allopathic medicine in the State of Arizona.

3. The Board initiated case number MD-12-1262A after receiving a malpractice settlement regarding Respondent's care and treatment of a 31 year-old female patient ("AK") alleging failure to diagnose a surgical ureter injury.

4. On November 28, 2005, AK was referred to Respondent for an abnormal pap smear. A colposcopy was carried out and the results revealed high grade squamous intraepithelial lesion (HGSIL) and a loop electrosurgical excision procedure (LEEP) was elected and performed on December 27, 2005. AK underwent a TAH on July 11, 2007 and was delivered back to her room. Significant vaginal bleeding was noted and Respondent took AK back to surgery and carried out an examination under anesthesia (EUA). On July 14, 2007, AK was improving and discharged from the hospital and pathology revealed no

1 dysplasia. On July 30, 2007, AK was seen for a post-op visit with complaints of dizziness,
2 vomiting and bowel issues. Respondent recommended an abdominal series though there
3 is no note that it was completed. On February 1, 2010, AK was seen for endoscopy and
4 evaluated for abdominal discomfort, bloating and diarrhea. On February 16, 2010, the
5 patient was admitted for a left ureteroscopy which revealed obstruction of the ureter. IR
6 attempted a left nephroureteral tube placement without success and ended up placing a
7 left PCN tube. On March 3, 2010, AK was admitted to Banner Desert Medical Center for
8 surgery. Her kidney was described as atrophic and non-functional. AK underwent a
9 laparoscopic nephrectomy without complications and was discharged on March 12, 2010.

10 5. The Medical Consultant (MC) determined that AK's ureter was injured during
11 the surgery and that the injury went unnoticed which caused kidney damage.

12 6. The standard of care when carrying out surgery is to avoid injury to adjacent
13 organs. Should there be a question of injury, a complete evaluation should be done to rule
14 it out and if identified, appropriate treatment to resolve the problem should be undertaken
15 promptly.

16 7. Respondent deviated from the standard of care by injuring the ureter during
17 surgery and failed to recognize the injury.

18 8. Injury to the left ureter which was not completely evaluated when there was
19 evidence to that effect and subsequently required a nephrectomy

20 CONCLUSIONS OF LAW

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22 1. The Board possesses jurisdiction over the subject matter hereof and over
23 Respondent.
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1 2. The conduct and circumstances described above constitute unprofessional
2 conduct pursuant to A.R.S. § 32-1401(27)(q) ("[a]ny conduct or practice that is or might be
3 harmful or dangerous to the health of the patient or the public").

4 ORDER

5 IT IS HEREBY ORDERED THAT Respondent is issued a Letter of Reprimand.

6 DATED AND EFFECTIVE this 8th day of AUGUST, 2013.

7
8 ARIZONA MEDICAL BOARD

9
10 By 

11 Lisa S. Wynn
12 Executive Director

13 CONSENT TO ENTRY OF ORDER

14 1. Respondent has read and understands this Consent Agreement and the
15 stipulated Findings of Fact, Conclusions of Law and Order ("Order"). Respondent
16 acknowledges he has the right to consult with legal counsel regarding this matter.

17 2. Respondent acknowledges and agrees that this Order is entered into freely
18 and voluntarily and that no promise was made or coercion used to induce such entry.

19 3. By consenting to this Order, Respondent voluntarily relinquishes any rights to
20 a hearing or judicial review in state or federal court on the matters alleged, or to challenge
21 this Order in its entirety as issued by the Board, and waives any other cause of action
22 related thereto or arising from said Order.

23 4. The Order is not effective until approved by the Board and signed by its
24 Executive Director.

25 5. All admissions made by Respondent are solely for final disposition of this
matter and any subsequent related administrative proceedings or civil litigation involving

1 the Board and Respondent. Therefore, said admissions by Respondent are not intended
2 or made for any other use, such as in the context of another state or federal government
3 regulatory agency proceeding, civil or criminal court proceeding, in the State of Arizona or
4 any other state or federal court.

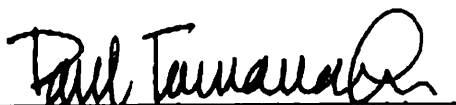
5 6. Upon signing this agreement, and returning this document (or a copy thereof)
6 to the Board's Executive Director, Respondent may not revoke the consent to the entry of
7 the Order. Respondent may not make any modifications to the document. Any
8 modifications to this original document are ineffective and void unless mutually approved
9 by the parties.

10 7. This Order is a public record that will be publicly disseminated as a formal
11 disciplinary action of the Board and will be reported to the National Practitioner's Data
12 Bank and on the Board's web site as a disciplinary action.

13 8. If any part of the Order is later declared void or otherwise unenforceable, the
14 remainder of the Order in its entirety shall remain in force and effect.

15 9. If the Board does not adopt this Order, Respondent will not assert as a
16 defense that the Board's consideration of the Order constitutes bias, prejudice,
17 prejudgment or other similar defense.

18 10. Any violation of this Order constitutes unprofessional conduct and may result
19 in disciplinary action. A.R.S. § § 32-1401(27)(r) ("[v]iolating a formal order, probation,
20 consent agreement or stipulation issued or entered into by the board or its executive
21 director under this chapter") and 32-1451.

22 
23 Paul Tamanaha, M.D.
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DATED: 5/23/13

1 EXECUTED COPY of the foregoing mailed
2 this 8th day of August, 2013 to:

3 Paul Tamanaha, M.D.
4 Address of Record

5 ORIGINAL of the foregoing filed
6 this 8th day of August, 2013 with:

7 Arizona Medical Board
8 9545 E. Doubletree Ranch Road
9 Scottsdale, AZ 85258

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11 Arizona Medical Board Staff
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